

PROVIDING FOR THE SUSPENSION OF ANNUAL ASSESS-
MENT WORK ON MINING CLAIMS HELD BY LOCATION
IN THE UNITED STATES

APRIL 23 (legislative day, MARCH 30), 1942.—Ordered to be printed

Mr. JOHNSON of Colorado, from the Committee on Mines and Mining,
submitted the following

REPORT

(To accompany S. 2414)

Your Committee on Mines and Mining, to whom was referred the bill (S. 2414) providing for the suspension of annual assessment work on mining claims held by location in the United States, report that we have given careful consideration to its provisions, and it is the recommendation of this committee that the bill, with the following amendment, do pass.

Page 1, line 11, after "1942" place a period instead of a colon and eliminate the balance of the bill.

The committee had under advisement three bills, all of which are substantially alike. In reporting on one of these bills, namely S. 2267, the Secretary of the Interior stated as follows:

I have no objection to the enactment of the bill.

The bill, if enacted, would suspend the annual assessment requirements of the United States mining laws insofar as they relate to valid mining claims situated within areas withdrawn by Executive order for purposes of national defense, and would authorize the owners thereof to negotiate with a government for the use of the surface of such claims for national defense.

The mining laws provide that "on each claim located after the 10th day of May 1872, and until a patent has been issued therefor, not less than \$100 worth of labor shall be performed or improvements made each year." The courts have held that the law contemplates that the expenditure be made in labor or improvements of a mining nature on or for the benefit of the claim.

The performance of the annual labor requires the use of tools and machinery and necessitates the physical presence on the claim of the persons who perform the necessary labor. It is apparent that the use of the surface of these mining claims by the Government for military and other purposes in the interest of national defense probably will be continuous and, therefore, that it might be dangerous for the claimants or their agents to perform annual labor on the claims during the period of emergency.

The Bureau of the Budget has informed me that there is no objection to the presentation of this report to your committee.